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S E C R E T STATE 095987

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E.O. 12958: DECL: 09/14/2029

TAGS: KACT PARM START US RS

SUBJECT: SFO-DIP-09-005C: U.S. DRAFT NEW START TREATY  
INSPECTION PROTOCOL ANNEXES, CABLE 3 OF 8

REF: A. STATE 088262 (U.S.-PROPOSED TREATY TEXT PART 1)  
1B. STATE 088263 (U.S.-PROPOSED TREATY TEXT PART 2)  
1C. STATE 091093 (DRAFT NEW START TREATY IP CABLE 1  
OF 7)  
1D. STATE 091284 (DRAFT NEW START TREATY IP CABLE 2  
OF 7)  
1E. STATE 091291 (DRAFT NEW START TREATY IP CABLE 3  
OF 7)  
1F. STATE 091106 (DRAFT NEW START TREATY IP CABLE 4  
OF 7)  
1G. STATE 091134 (DRAFT NEW START TREATY IP CABLE 5  
OF 7)  
1H. STATE 091143 (DRAFT NEW START TREATY IP CABLE 6  
OF 7)  
1I. STATE 091151 (DRAFT NEW START TREATY IP CABLE 7  
OF 7)

Classified By: Jerry A. Taylor, Director, VCI/SI.

Reason: 1.4(b) and (d)

11. (U) This is an action request. See paragraph 4 below.

12. (S) BACKGROUND: On August 25, 2009, U.S. Embassy Moscow provided to the Russian Federation the texts of the U.S.-proposed Draft New START Treaty Articles (Refs A and B). On September 2, 2009, the U.S. Delegation to the New START Treaty negotiations provided the texts of the U.S.-proposed Draft New START Treaty Inspection Protocol to the Russian Delegation in Geneva (Refs C-I). This cable contains the U.S.-proposed draft of the New START Treaty Inspection Protocol Annexes.

13. (S) This is cable 3 of 8 cables. This cable contains paragraph 7 of Section IV of Annex 4 through paragraph 6 of Annex 6 of the U.S.-proposed Draft Inspection Protocol Annexes. Embassy should note that, due to the length of the draft, the text was sent using multiple cables.

14. (U) ACTION REQUEST: Embassy Moscow is requested to combine the texts of the U.S. draft New START Treaty Inspection Protocol Annexes contained in the associated cables into one document and provide that text to appropriate host government officials. Washington will provide a courtesy Russian-language translation of the U.S. draft New START Treaty Telemetry Protocol when available; however, delivery of the English language text should not be delayed. Embassy is requested to confirm delivery of the text, the name and office of the official to whom it was delivered, the date of delivery, and any comment or reaction provided at that time.

15. (S/Releasable to the Russian Federation) Begin text:

17. For containers that are declared by a member of the in-country escort to be of types of containers exhibited pursuant to Section VII of the Notification Protocol as containers of long-range non-nuclear ALCMs, and that are large enough to contain the smallest nuclear armament for heavy bombers, the inspectors shall also have the right to designate for inspection a total of no more than three such containers during each three-year period in order to confirm that a nuclear armament for heavy bombers is not contained therein, subject to the following procedures:

(a) The in-country escort shall open the container so that inspectors can confirm by means of viewing its interior that the container does not contain a nuclear armament for heavy bombers.

(b) If, by viewing the contents of the container, inspectors confirm that the contents are not a nuclear armament for heavy bombers, then the container and its contents shall not be subject to further inspection.

(c) If, by viewing the contents of the container, inspectors are unable to confirm that the contents are not a nuclear armament for heavy bombers, the in-country escort shall remove the contents from the container. Inspectors shall have the right to use radiation detection equipment to confirm that the contents are non-nuclear, and to make linear measurements to confirm the presence of features, notification of which has been provided in accordance with Section VII of the Notification Protocol, that make the contents of the container distinguishable from nuclear armament for heavy bombers. Inspectors shall not have the right to observe removal of the contents from the container, but removal shall be accomplished so as to provide confidence that the contents and container are the same ones originally designated by the inspectors. The radiation detection equipment and a radiation source may also be used to confirm that the container does not conceal the presence of radiation.

(d) If, by making such measurements, inspectors are unable to confirm that the contents of the container are not a nuclear armament for heavy bombers, or that such a container does not conceal the presence of radiation, they shall record their findings in the inspection report. A member of the in-country escort shall, at the request of the inspectors, photograph the contents of the container or the container, in accordance with the procedures provided for in paragraph 27 of Section VI of this Protocol.

18. A member of the in-country escort shall designate locations on an inspected object where linear measurements may be made. The inspected Party may cover the object to be inspected provided that such covering does not preclude confirmation by viewing or linear measurement of specified distinguishing features and technical data, as applicable. The inspected Party shall ensure sufficient lighting to facilitate inspection.

19. Inspectors shall use radiation detection equipment in accordance with the procedures provided for in Section VI of Annex 8 to this Protocol.

IV. For inspections of heavy bombers during data update inspections conducted at training and storage facilities for heavy bombers, and conversion and elimination facilities for heavy bombers, pursuant to paragraph 2 of Article XI of the Treaty:

11. Inspectors shall have the right to view a heavy bomber to confirm the presence of features, specified for the type and, if applicable, the category and variant of such airplane, that make the heavy bomber distinguishable from other heavy bombers of the same type. Inspectors shall not have the right to inspect areas of the interior of a

heavy bomber that are not related to confirming specified distinguishing features.

¶12. The inspection team leader shall designate prior to the completion of pre-inspection procedures which of the heavy bombers subject to inspection located at the facility at the time pre-inspection restrictions went into effect are to be inspected. For a heavy bomber that arrives at the facility during the period of inspection and that is subject to inspection, the inspection team leader shall, immediately upon the arrival of the heavy bomber, inform the in-country escort whether it is designated to be inspected. During the period of inspection, no heavy bomber designated for inspection shall depart the facility until inspected.

¶13. A member of the in-country escort shall designate locations on an inspected item where linear measurements may be made. The inspected Party may cover the item to be inspected provided that such covering does not preclude confirmation by viewing or linear measurement of specified distinguishing and functional features and technical data, as applicable, of the inspected item. The inspected Party shall ensure sufficient lighting to facilitate inspection.

## ANNEX 5

### PROCEDURES FOR CONTINUOUS MONITORING

¶11. Monitors shall have the right to confirm the numbers, types, and, if applicable, variants of types of items of continuous monitoring that are declared to exit from the monitored facility, and to confirm that no other items of continuous monitoring exit from the monitored facility. For this purpose, in carrying out the procedures for continuous monitoring provided for in this Annex, the size criteria as defined in paragraph 24 of Section VI of this Protocol shall be used.

¶12. If any covered or environmentally protected object, container, launch canister, or other object or vehicle exiting from the monitored facility through the portal is large enough to contain or to be an item of continuous monitoring, a member of the in-country escort shall so declare to monitors no less than 30 minutes prior to the arrival of the covered or environmentally protected object, container, launch canister, or other object or vehicle at the portal. The declaration shall state whether or not such an object is an item of continuous monitoring, or whether or not such an object, container, launch canister, or vehicle contains an item of continuous monitoring and the estimated time of its arrival at the portal. If such an object is an item of continuous monitoring or if a container, launch canister, or vehicle contains an item of continuous monitoring, a member of the in-country escort shall specify in writing the numbers, types, and, if applicable, variants of types of items of continuous monitoring. More than one item of continuous monitoring may be transported in a vehicle, but only one item of continuous monitoring may be transported in each container or in each launch canister.

¶13. Monitors shall have the right to read the data from the unique identifier on each launch canister declared to contain an ICBM for mobile launchers of ICBMs if such ICBMs are maintained, stored, and transported in launch canisters, or on each first stage of an ICBM for mobile launchers of ICBMs if such ICBMs are maintained, stored, and transported as assembled missiles without launch canisters or in stages.

¶14. For a vehicle that is exiting from the monitored facility and that is declared to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the vehicle contains one or more items of continuous monitoring, of the number, type, and, if applicable,

variant of the type declared. For this purpose, monitors shall have the right to view the interior of such a vehicle or the open bed of the vehicle. If, by viewing, monitors confirm that the interior of the vehicle or the open bed of the vehicle contains a covered or environmentally protected object, container, launch canister, or an item of continuous monitoring that is outside a container or launch canister and that is not covered or environmentally protected, monitors shall have the right to carry out procedures provided for in paragraph 5, 6, 7, or 8 of this Annex. If inside such a vehicle there is a partitioned enclosed space that is declared by a member of the in-country escort not to contain an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph 9(b) of this Annex. After completion of those procedures, the vehicle may leave the monitored facility.

¶5. For a covered or environmentally protected object exiting from the monitored facility that is declared to be an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that such an object is an item of continuous monitoring of the declared type, and if applicable, variant of the type. A member of the in-country escort shall partially or, if necessary, completely remove the cover or environmental protection. If after partial or complete removal of such a cover or environmental protection, monitors confirm by viewing that the object is an item of continuous monitoring of the declared type, and if applicable, variant of the type, monitors shall have the right to carry out procedures provided for in paragraph 8 of this Annex. If after partial or complete removal of such a cover or environmental protection, monitors confirm by viewing that the object is a container or launch canister, monitors shall have the right to carry out procedures provided for in paragraph 6 or 7 of this Annex.

¶6. For a container that is exiting from the monitored facility and that is declared to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that such a container contains the item of continuous monitoring of the declared type and, if applicable, variant of the type. Monitors shall have the right to view the interior of such a container. If by viewing the interior of the container, monitors are unable to confirm the number, type, and, if applicable, variant of the type of the item of continuous monitoring that is contained therein, a member of the in-country escort shall remove such an item from the container. In that event, monitors shall have the right to carry out the procedures provided for in paragraph 8 of this Annex.

¶7. For a launch canister exiting from the monitored facility that is declared to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the launch canister is a launch canister for an item of the declared type. Monitors shall have the right to view such a launch canister and, at locations on the launch canister designated by a member of the in-country escort, make measurements of the dimensions of the launch canister to confirm that those dimensions correspond to the dimensions specified for an item of the declared type. Upon completion of the viewing and measurements, the launch canister shall not be subject to further inspection.

¶8. For an item of continuous monitoring that is exiting from the monitored facility and that is outside a container or launch canister and that is not covered or environmentally protected, monitors shall have the right to confirm the type and, if applicable, variant of the type of the declared item of continuous monitoring by external viewing and by measurement of its dimensions at locations on the item of continuous monitoring designated

by a member of the in-country escort. Upon completion of the viewing and measurements, the item of continuous monitoring shall not be subject to further inspection.

19. For a vehicle that is exiting from the monitored facility through the portal and that is not declared to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the vehicle does not contain an item of continuous monitoring. At the choice of a member of the in-country escort, monitors shall have the right to carry out one or more of the following procedures:

(a) Make measurements of the dimensions of the enclosed space of the vehicle or the dimensions of the accesses into such a space:

(i) If, by making such measurements, monitors confirm that the vehicle, by the dimensions of the enclosed space or the dimensions of the accesses into such a space, is not large enough to contain or is not accessible to an item of continuous monitoring, the vehicle shall not be subject to further inspection.

(ii) If, by making such measurements, monitors confirm that the vehicle, by the dimensions of the enclosed space and the dimensions of the accesses into such a space, is large enough to contain and is accessible to an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (c) or (d) of this paragraph.

(b) Make measurements of the dimensions of a partitioned enclosed space within the vehicle or of the dimensions of the accesses into such a space:

(i) If, by making such measurements, monitors confirm that the partitioned enclosed space within the vehicle, by its dimensions or by the dimensions of the accesses into such a space, is not large enough to contain or is not accessible to an item of continuous monitoring, the partitioned enclosed space within the vehicle shall not be subject to further inspection.

(ii) If, by making such measurements, monitors confirm that the partitioned enclosed space within the vehicle, by its dimensions and by the dimensions of the accesses into such a space, is large enough to contain and is accessible to an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (c) or (d) of this paragraph.

(c) Weigh a vehicle with its contents:

(i) If, by weighing, monitors confirm that the vehicle, by its gross weight, is not heavy enough to contain an item of continuous monitoring, the vehicle shall not be subject to further inspection.

(ii) If, by weighing, monitors confirm that the vehicle, by its gross weight, is heavy enough to contain an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (d) of this paragraph.

(d) View the interior of the vehicle or the partitioned enclosed space within the vehicle, or the open bed of a vehicle, from a place designated by a member of the in-country escort. This place shall be designated in such a way as to allow the monitors to view the entire interior of the vehicle or the partitioned enclosed space within the vehicle, or the open bed of a vehicle:

(i) If, by viewing, monitors confirm that the interior of the vehicle or partitioned enclosed space within the vehicle, or the open bed of a vehicle does not contain an item of continuous monitoring, a container, a launch canister, a covered or environmentally protected object,

or an unidentified object, the vehicle or the partitioned enclosed space within the vehicle, or the open bed of a vehicle shall not be subject to further inspection.

(ii) If, by viewing, monitors confirm that the interior of the vehicle or partitioned enclosed space within the vehicle, or the open bed of a vehicle contains a container, a launch canister, a covered or environmentally protected object, or an unidentified object, monitors shall have the right to carry out the procedures provided for in paragraph 10, 11, 12, or 13 of this Annex.

After monitors have completed the procedures to confirm the numbers, types, and if applicable, variants of types of items of continuous monitoring or to confirm the absence of an item of continuous monitoring, the vehicle and the containers, launch canisters, or other objects contained therein may leave the monitored facility.

¶10. For a container that is exiting from the monitored facility and that is not declared to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the container does not contain an item of continuous monitoring. At the choice of a member of the in-country escort, monitors shall have the right to carry out one or more of the following procedures:

(a) Make measurements of the dimensions of the container:

(i) If, by making such measurements monitors confirm that, by its dimensions, the container is not large enough to contain an item of continuous monitoring, the container shall not be subject to further inspection.

(ii) If, by making such measurements monitors confirm that, by its dimensions, the container is large enough to contain an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (b), (c), or (d) of this paragraph.

(b) View the interior of the container after a member of the in-country escort has opened the container, and, as necessary, measure the dimensions of its contents:

(i) If, by viewing the interior of the container and measuring the dimensions of its contents, monitors confirm that the container does not contain an item of continuous monitoring, the container shall not be subject to further inspection.

(ii) If, by viewing the interior of the container and measuring the dimensions of its contents, monitors are unable to confirm that the contents of the container are not an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (c) or (d) of this paragraph.

(c) View the contents of the container, after a member of the in-country escort has removed the contents from the container:

(i) If, by viewing the contents of the container, monitors confirm that the contents of the container are not an item of continuous monitoring, the container shall not be subject to further inspection.

(ii) If, by viewing the contents of the container, monitors are unable to confirm that the contents of the container are not an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in paragraph 13 of this Annex.

(d) Image the contents of the container using non damaging imaging equipment. If non damaging imaging equipment has not been installed, and the inspected Party prefers that the contents of a container be imaged, the inspected Party shall notify the inspecting Party no less

than six months in advance of the planned exit of such a container, of the planned exit thereof.

¶11. For a launch canister that is exiting from the monitored facility and that is declared not to contain an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the launch canister does not contain an item of continuous monitoring. At the choice of a member of the in-country escort, monitors shall have the right to carry out one or more of the following procedures:

(a) View the interior of the launch canister after a member of the in-country escort has opened the launch canister by removing at least one of the end caps of the launch canister and, as necessary, measure the dimensions of its contents:

(i) If, by viewing the interior of the launch canister and measuring the dimensions of its contents, monitors confirm that the launch canister does not contain an item of continuous monitoring, the launch canister shall not be subject to further inspection.

(ii) If, by viewing the interior of the launch canister and measuring the dimensions of its contents, monitors are unable to confirm that the contents of the launch canister are not an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in subparagraph (b) or (c) of this paragraph.

(b) View the contents of the launch canister, after a member of the in-country escort has removed the contents from the launch canister:

(i) If, by viewing the contents of the launch canister, monitors confirm that the contents of the launch canister are not an item of continuous monitoring, the launch canister shall not be subject to further inspection.

(ii) If, by viewing the contents of the launch canister, monitors are unable to confirm that the contents of the launch canister are not an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in paragraph 13 of this Annex.

(c) Image the contents of the launch canister using non damaging imaging equipment. If non damaging imaging equipment has not been installed, and the inspected Party prefers that the contents of a launch canister be imaged, the inspected Party shall notify the inspecting Party, no less than six months in advance of the planned exit of such a launch canister, of the planned exit thereof.

¶12. For a covered or environmentally protected object that is exiting from the monitored facility and that is not declared to be an item of continuous monitoring, a member of the in-country escort shall demonstrate to the satisfaction of monitors that the object is not an item of continuous monitoring. At the choice of a member of the in-country escort, monitors shall have the right to carry out one or more of the following procedures:

(a) View the covered or environmentally protected object from a place designated by a member of the in-country escort after a member of the in-country escort has partially or, if necessary, completely removed the cover or environmental protection:

(i) If, by viewing, monitors confirm that the object is not an item of continuous monitoring, a container, or a launch canister, that object shall not be subject to further inspection.

(ii) If, by viewing, monitors are unable to confirm that the object is not an item of continuous monitoring, monitors shall have the right to carry out procedures provided for in paragraph 13 of this Annex.

(iii) If, by viewing, monitors confirm that the object is a container or a launch canister, monitors shall have the right to carry out the procedures provided for in paragraph 10 or 11 of this Annex.

(b) Measure the dimensions of the covered or environmentally protected object:

(i) If, by making such measurements, monitors confirm that the object is not large enough to contain or to be an item of continuous monitoring, that object shall not be subject to further inspection.

(ii) If, by making such measurements, monitors confirm that the object is large enough to contain or to be an item of continuous monitoring, monitors shall have the right to carry out the procedures provided for in subparagraph (a) of this paragraph.

¶13. For an object that is outside a container or launch canister and that is not covered or environmentally protected, monitors shall have the right to confirm by external viewing and by making measurements of its dimensions, at locations on the object designated by a member of the in-country escort, that the object is not an item of continuous monitoring.

¶14. For a vehicle that is exiting from the monitored facility through a road exit, monitors shall have the right to make measurements of any such vehicle to determine whether it is large enough to contain an item of continuous monitoring. Those measurements shall be made in such a way as to minimize the delay of vehicles exiting from the facility. Vehicles large enough to contain an item of continuous monitoring shall proceed to the portal. Vehicles that are not large enough to contain an item of continuous monitoring shall not be subject to further inspection and may leave the monitored facility.

¶15. At monitored facilities where ICBMs for mobile launchers of ICBMs with multiple independently targetable reentry vehicles are produced, monitors shall have the right, no more than five times each year, to inspect containers or vehicles to confirm that no solid rocket motors for the first stages of ICBMs for mobile launchers of ICBMs, with nozzles attached, exit the monitored facility. In such cases, the size criteria as defined in paragraph 25 of Section VI of this Protocol shall be used in carrying out the inspection procedures for containers and vehicles. For the purposes of these inspections, monitors shall have the right to request a member of the in-country escort to direct a vehicle that is large enough to contain a solid rocket motor for the first stage of an ICBM for mobile launchers of ICBMs, with a nozzle attached, to proceed to the portal. Monitors shall have the right to carry out the inspection procedures provided for in paragraph 9 or 10 of this Annex.

¶16. The Parties agree that railcars that would be subject to inspection shall be permitted to leave the monitored facility for the purpose of reversing direction, provided that the following procedures are used:

(a) the inspected Party notifies the monitoring team leader of its intent to move a railcar out through the portal for the purpose of reversing its direction no less than 30 minutes before the railcar arrives at the portal;

(b) two monitors accompany the railcar from the time it arrives at the portal until it returns through the portal after having reversed direction and such monitors are permitted to observe this railcar throughout the entire procedure;

(c) no cargo is removed from the railcar between the time it leaves through the portal until it returns through the portal of the monitored facility.

Provided that the entire procedure for reversing direction is completed without delay, such railcars shall not be subject to inspection pursuant to Section XVI of the Inspection Protocol during the conduct of this procedure.

ANNEX 6  
PROCEDURES RELATING TO UNIQUE IDENTIFIERS

¶1. A unique identifier is a non repeating alpha numeric production number, or a copy thereof, that has been applied by the inspected Party, using its own technology, to an ICBM for mobile launchers of ICBMs, as provided for in paragraph 3 or 4 of this Annex.

¶2. Each Party shall provide the other Party with unique identifier data for each ICBM for mobile launchers of ICBMs in accordance with paragraph 3 or 13 of Section I of the Notification Protocol.

¶3. For ICBMs for mobile launchers of ICBMs that are maintained, stored, and transported in launch canisters, unique identifiers shall be applied:

(a) for ICBMs existing as of Treaty signature, on each launch canister of such ICBMs for mobile launchers of ICBMs, if not previously done so in conjunction with fulfilling the requirements of the START Treaty;

(b) for ICBMs leaving the production facility after Treaty signature, on each launch canister and on each first stage of such ICBMs for mobile launchers of ICBMs. The data from such unique identifiers shall be provided in a form that establishes the one to one relationship between the data from the unique identifier applied on the first stage of an ICBM for mobile launchers of ICBMs and the data from the unique identifier applied on the launch canister associated with such an ICBM. Such unique identifiers may not be changed.

¶4. For ICBMs for mobile launchers of ICBMs that are maintained, stored, and transported as a unit without launch canisters or in stages, the unique identifiers shall be applied on each first stage of such ICBMs for mobile launchers of ICBMs.

¶5. During data update inspections, nuclear warhead inspections, and conversion or elimination inspections, as well as during the conduct of continuous monitoring, inspectors or monitors shall have the right to read the data from the unique identifiers on deployed and non deployed ICBMs for mobile launchers of ICBMs. Exceptions to the right to read the data from such unique identifiers are set forth in paragraph 6 of Section VII of this Protocol. The data from a unique identifier shall be read:

(a) for ICBMs specified in subparagraph 3(a) of this Annex, from the launch canister associated with ICBMs for mobile launchers of ICBMs;

(b) for ICBMs specified in subparagraph 3(b) of this Annex, from the launch canister associated with ICBMs for mobile launchers of ICBMs, and if the unique identifier applied on the first stage of such a missile is accessible for external viewing and reading without opening the launch canister, or if during the process of elimination of such an ICBM the missile is removed from its launch canister, from the first stage of ICBMs for mobile launchers of ICBMs;

(c) for ICBMs specified in paragraph 4 of this Annex, from the first stage of such ICBMs for mobile launchers of ICBMs.

¶6. The place from which inspectors or monitors are

allowed to read data from the unique identifier applied on each launch canister for ICBMs for mobile launchers of ICBMs or each first stage of such an ICBM shall be specified by a member of the in-country escort in such a manner as to ensure an accurate reading of such data. If a unique identifier applied on a launch canister or a first stage of an ICBM for mobile launchers of ICBMs is not accessible for reading as provided for in paragraph 5 of this Annex, such a unique identifier shall be duplicated on the portion of the surface of the launch canister or the first stage of an ICBM for mobile launchers of ICBMs that is accessible for reading its data by inspectors or monitors during viewing.

End text.  
CLINTON